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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE
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10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 JESUS ESTRADA-CONTRERAS,
14 MARICIO ESTRADA-MUNOZ, and
15 MIGUEL ORTEGA-ESTRADA,

16 Defendants.

Case No. CR17-301RSL

ORDER CONTINUING
TRIAL AND EXTENDING
PRETRIAL MOTIONS
DATES

17 This matter comes before the Court following a status conference held January 18, 2018,
18 where the Court ruled, over the objection of defendant Jesus Estrada-Contreras, that in the
19 interest of justice, the trial should be continued to Monday, June 25, 2018. Dkt. # 38. The Court
20 directed the parties to meet and confer regarding dates surrounding and leading up to trial. The
21 parties agree on many details of a continuance, but defense counsel seeks additional pretrial
22 deadlines as well. The Court will limit the scope of this order to addressing the need for a
23 continuance, but the parties are free to move the Court for additional deadlines, if warranted, in
24 the future and as trial nears.

25 Having considered the concerns expressed at the status conference on January 18, 2018,
26 two defendants' knowing and voluntary waivers, and the remainder of the record, the Court
27 finds as follows:
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1 1. The Court finds that a failure to grant a continuance would deny counsel the
2 reasonable time necessary for effective preparation, taking into account the exercise of due
3 diligence, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(iv).

4 2. The Court finds that a failure to grant a continuance would likely result in a
5 miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i).

6 3. The Court finds that the additional time requested is a reasonable period of delay,
7 and that the additional time requested between the current trial date of February 5, 2018, and the
8 proposed trial date of June 25, 2018, is necessary to provide defense counsel reasonable time to
9 prepare for trial considering all of the facts set forth above.

10 4. The Court further finds that such a continuance would serve the ends of justice,
11 and that these factors outweigh the best interests of the public and the defendant in a more
12 speedy trial, within the meaning of 18 U.S.C. § 3161(h)(7)(A).

13 5. Defendant Miguel Ortega-Estrada has signed a waiver indicating that he has been
14 advised of his right to a speedy trial and that, after consulting with counsel, he has knowingly
15 and voluntarily waived that right and consented to the continuation of his trial to a date up to and
16 including June 29, 2018, Dkt. # 39, which will allow trial to start on June 25, 2018.

17 6. Defendant Mauricio Estrada-Munoz has signed a waiver indicating that he has
18 been advised of his right to a speedy trial and that, after consulting with counsel, he has
19 knowingly and voluntarily waived that right and consented to the continuation of his trial to a
20 date up to and including June 29, 2018, Dkt. # 42, which will allow trial to start on June 25,
21 2018.

22 IT IS HEREBY ORDERED that the trial date be continued from February 5, 2018, to
23 June 25, 2018.

24 IT IS FURTHER ORDERED that the pretrial motions cutoff date be continued to April
25 30, 2018.

26 IT IS FURTHER ORDERED that the period of time from the current trial date of
27 February 5, 2018, up to and including June 29, 2018, with regard to defendants Miguel Ortega-
28 Estrada and Mauricio Estrada-Munoz, and up to and including June 25, 2018, with regard to

1 defendant Jesus Estrada-Contreras shall be excludable time pursuant to the Speedy Trial Act, 18
2 U.S.C. § 3161, *et seq.* The period of delay attributable to the filing and granting of this motion is
3 excluded for speedy trial purposes pursuant to 18 U.S.C. §§ 3161(h)(1)(D), (h)(7)(A), and
4 (h)(7)(B).

5 DATED this 2nd day of February, 2018.

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9 Robert S. Lasnik
10 United States District Judge
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